PLAINTIFFS'

EXHIBIT

9

Sheila Hackert et al. v. First Alert, Inc. and BRK Brands, Inc.
Court File No. 1:03-CV-216 (DNH, DRH)

EXHIBIT 9

CUSTOMER COMPLAINTS

No.	Name	Date of Initial Contact by Customer	Comments
1	Gibbs, Mrs. Gary	07/10/89	Customer letter states, "Our First Alert smoke detector model SA76RD which we received as a gift on November 28, 1987, failed to sound an alarm when we had a fire in our oven last week. The battery and test button are working, but the alarm failed to sound even when my husband brought the detector to the kitchen and put it in the middle of the smoke."
2	Saville, Dennis	11/08/1989	Customer letter states, "Enclosed, please find one First Alert fire and smoke alarm. At about 1:30 a.m., October 8, 1989 we had a fire in our kitchen exhaust fan. When I woke up the house was full of smoke. Luckily the fire was contained in the exhaust fan and I was able to put it out. However, this smoke alarm did go off. After all excitement was over and the smoke cleared out, I tested if with the test button. It went off."
3	Lusk, Andre	11/27/1989	Customer letter states, "After the fire was distinguished (sic) and the smoke removed the fire department tested the detector using the "test" button on it. The detector sounded off. Later, my father (Bill Lusk) came over. A police officer was here at the time and my father tested the detector again by using cigarette smoke. Again it sounded off. The detector failed only during the actual fire at which time the whole structure was filled with smoke."
4	Simon, Jan	12/29/1989	Customer responses to BRK questionnaire indicates smoke reached the detector, "we had smoke from ceiling to floor throughout entire 2nd floor." "My husband is a light sleeper and woke up coughing." Customer states the battery was properly connected and "tested still good after the fire."
5	Dyer, Mrs. Jack R.	01/15/1990	Customer letter states, "December 24, 1989 we had a small fire in one of the bedrooms, but with this fire – half of our house filled with smoke. The smoke detector never went off. We had checked the battery with the button when they were installed, and they work when you pushed the button. Since the fire, we checked the others,

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			by putting a candle and a match near them. They never went off. The only way we could get it to go off was by practically putting the match in the detector. We bought the First Alert under the impression that they were the best. Now I'm afraid to sleep at night. Just thought you would like to know what kind of Christmas we had."
6	Garbe, Wilbur	02/27/1990	Customer letter states, "To whom it may concern: I purchased the enclosed Family Gard on 12/30/88. It did not work when room was filled with smoke. I pushed the test button several times with no response. I replaced the battery, still nothing except a couple of beeps when I put the new battery in. I cleaned the unit still nothing."
7	Goff, Michael and Ilene	03/15/1990	Customer letter states, "On Tuesday night February 20, 1990, a fire occurred in our home. Our fire place (sic) ignited due to creosote buildup within the chimney. Every room in the house filled with smoke." # "At no time during this fire did this alarm sound off. It took approximately 10-20 minutes until the local fire department extinguished the fire. After the fire was out, along with the firemen, we tested the smoke detector again by depressing the button on the unit. Sometimes it worked and sometimes it did not." "It just happened to be fortunate that this fire did not occur while we were sleeping or else our home or our family could have sustained greater damage and/or injuries.
8	Comien, Wilfried	05/03/1990	Customer letter states, "On April 4, 1990 I had a fire in my home. When the fire-brigade and my girlfriend arrived at the house, both noticed that our First Alert smoke detector didn't start any fire alarm, but the house was filled with heavy smoke. Explain failure of your product."
9	Shaw, Mark and Colleen	05/07/1990	Customer note states, "The hall was filled with smoke. The detector did not go off. Mark checked the detector after the incident and it did work. I should say the battery was working. The detector did not go off."
10	Reed, Mrs. Woodie N.	05/11/1990	Customer letter states, "Last week I had a fire in my kitchen, which caused smoke to fill my house. The smoke was so heavy until it was almost impossible to get to the kitchen to see from where the smoke was coming. NEITHER of the smoke detectors went off, even though the "beep" on one of them now works. I am puzzled as to why smoke as dense

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			and heavy as penetrated my house did not trigger the smoke alarms."
11	Van Gundy, Lee	05/25/1990	Customer letter states, "This unit was installed four months when I had a fire in my dishwasher. It never went off with the house filled with smoke halfway down from the ceiling."
12	Casella, John	06/29/1990	Customer letter states that pork chops that were cooking on the stove "caught fire and in seconds house was full of acrid smoke!" "Just when is this "ALERT" suppose to work?"
13	Ball, Elizabeth A.	07/23/1990	Customer letter states, "One day I burned my toast. The kitchen was blue with smoke and it did not go off. I tried the test button – no sound or light. I changed the battery and still no test results."
14	Telese, Angelo	11/01/1990	BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form, "wife never heard smoke detector. First firemen into the house never heard detectors but detectors alarmed during cooking."
15	Bauer, K.	11/12/1990	Customer letter states, "Something is wrong with this smoke detector. My living room filled with smoke-plugged stove pipe, I was there, no danger – and the alarm did not go off. I checked the battery and the detector beeped. If there had been a fire the house could have burned down without a "beep" from my first alert. The alarm was centered in the room and only 10 feet from the smoke source."
16	Hicks, Florence	12/04/1990	Customer letter states "I want to let you know that the detector is defective. We had a fire/smoke back up (wood stove) and the house filled with smoke and the detector didn't buzz." "I brought it in to the kitchen and left it in a smoky room and it still didn't buzz. Finally, I carried it into the furnace room, opened the furnace door and held the alarm in front. It buzzed! Well I want something more dependable than this! I am planning on returning the alarm to K-Mart and replace it with a different brand. Thought you'd want to know. P.S. The battery tested fine." Customer responses to questionnaire states the smoke damage resulted in "carpets in four rooms and stairs need to be cleaned and also furniture and my curtains need to be dry cleaned." Customer note returned with diagram states, "I have 3 small children and I thank the Lord that the baby woke up as she was my detector. Its scary to think of what could have happened if she stayed in

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			bedroom #1 just above the kitchen."
17	McCormick, Charlene	12/04/1990	Customer letter states they had four 83R smoke detectors in their home. "I checked them weekly and changed the batteries when needed. We had a kitchen fire and they took an extra long time to go off. The firefighters checked them and batteries were good. They just took longer than they should to sound off. The firemen said we should replace them with more reliable ones. We did. Needless to say I'm angry and if I don't get a response from you within one week I'm going to take further action. I wasted $9.00 X 4 for these and had to throw them out. We had a lot more damage than necessary. Thank God no injuries – we have small children. Respond immediately."
18	Compus Software Technology – Bob Anteau	12/14/1990	BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form, "fire dept. report will be sent – smoke on all three levels – fire dept. couldn't believe detectors didn't alarm and Bob A. has this same model in his home and concerned also for his safety."
19	Swiercz, Walter	12/14/1990	Customer letter states that his fire detector does not work. He had it on the wall in his basement and "had a fire down there but got no warning at all." Customer just happened to go down there and noticed the smoke. "I then put the fire out and put the fire alert in the hot oven to see if it would work and it did not. Please send me a new one that you know for sure works."
20	Anderson, Faye	12/20/1990	Customer responses to questionnaire state, "Even the fire chief who responded to the fire alarm said the smoke detector should have sounded." Incident was discovered when customer "got up, opened the bedroom door and found the hallway full of smoke. As he proceeded down stairs the smoke became thicker and thicker."
21	Capman, Maryann M.	12/20/1990	Customer letter states customer had a fire in her microwave. She discovered her "dining area and kitchen area completely filled with smoke, the kitchen area was so filled that she could not see through it." The smoke detector was "installed not quite six months ago, and was located seven feet away from the microwave oven, directly on top of the stairs which is open and certainly was surrounded by smoke, at no time went off." Customer letter states that this isn't the first time she has had

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			problems with First Alert detectors and "I very strongly feel that you misrepresent your company and that obviously your product is of very poor quality." Customer signature line is "Angrily yours,"
22	Luczynski, Marsha	12/27/1990	Customer letter states "I recently was cooking and had quite a bit of smoke in my townhouse because something had been burning in the kitchen for about 15 minutes. It was french toast and all of the oil had burned away and the burning toast was making a lot of smoke. My Family Gard smoke alarm did not go off at all. There was smoke in every room (4 rooms) and the battery was functional. I just wanted to let you know that I think your smoke alarm is inadequate for actually detecting smoke. The alarm is unreliable and of inferior quality. I no longer use the unit I have."
23	Peck, Nancy and Millard	12/27/1990	Customer letter states that she awoke at approximately 3:00 a.m. and stepped out into her living room, "where I turned a light on. The opposite wall, at a distance of 28' was barely discernable through the dense smoke which enveloped the room." The smoke was due to a blocked chimney. Customer states that their two family guard units (Model #83R) did not sound a warning. "Both had new batteries, and still test fine when you check them." "I was, and am still extremely unnerved by the fact that neither of the units functioned. They never did go off, even though it took hours before we were able to clear the smoke. I shudder to think what the outcome might have been, had not some sort of 'inner alarm' gone off while I slept."
24	Olson, Mrs. Edwin	02/14/1991	Customer letter states, "I am returning this smoke alarm because it is faulty. Our home filled with smoke but this alarm did not make a sound, although it tested as working. We are thankful no one was hurt but very disappointed in the product. Since we use wood for part of our heat we feel we need an alarm we can have faith in. I'm hoping this might help in producing a safer, more reliable product."
25	MacEwan, George	02/15/1991	Customer letter dated February 6, 1991 states that customer heats their home with a small wood stove in the kitchen. "We vacuum around the stove and somehow a hot spark caught fire in the vacuum. The alarm was about 10 feet from the stove and it did not go off.

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			There are new batteries and we test it every day by pushing the button and it always test perfect. However my kitchen filled with smoke and it did not go off. " Next customer letter is dated March 22, 1991. Customer states, "I wrote several weeks ago for a mailing label, as you stated would be in the box for me to return fire alarm to you to see why it did not work when we had a smoke filled kitchen. You asked me to return it so we can find what the problem was. I find this very insulting that the mailing label was not sent for return and I have not heard from you for several weeks. I feel that you are not as concerned as you stated. We find this matter very serious." "We no longer feel safe with your fire alarm until we know the problem."
26	Russell, Lisa	02/26/1991	Customer's attorney states in letter that, "Mrs. Russell had to seek medical care for smoke inhalation and incurred $115 in doctors bills." "The smoke damage necessitated cleaning bills in the total amount of $7,742.91. Fortunately, Mr. and Mrs. Russell had most of this expense paid for by their homeowners insurance coverage. However, during the time they could not occupy their home, they incurred the inconvenience of living in hotels and having to feed their family at restaurants.
27	Marsico, Patrick	03/13/1991	BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form, "House filled with smoke – couldn't see hand in front of face." Customer's response to BRK's questionnaire indicates the incident was discovered when the customers were "choking in our sleep."
28	Rogers, Michael	03/13/1991	Customer letter states, "I returned to the kitchen from outside to find the whole house full of smoke. I mean thick, dark smoke—hanging like an indoor rain cloud. It was the kind of smoke that only six flaming pork chops could provide. We were fortunate that supper was the only thing lost because this damn smoke alarm didn't even beep. Thanks for nothing."
29	Waxer, Barbara	06/04/1991	Customer letter states, Recently there was a small but smoky fire in my bathroom of my home, which is off the living room where the smoke detector is mounted. It did not go off at all during the fire, but did going off the next morning when we took it down to examine

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			it. The battery is apparently functioning normally; the smoke detector, however, is not." ...."Its recent lack of performance has been distressing to say the least. I have also included an estimate of the fire damage, of which we only actually have carpeting, drapery and painting costs incurred."
30	Ware, Barbara	06/16/1991	Customer response to BRK questionnaire states "Because there was so much smoke I fell down and sprained my wrist and knee. I needed medical treatment." Customer states the battery was connected and has been checked "several times since the fire. Sometimes it goes off and sometimes it doesn't." Customer letter thanks BRK representative for new smoke alarms, "they are appreciated, however, I am still concerned about the safety of the 83R Model that I am returning to you. I do hope you follow through with the testing. There is still a lot of people depending on that model for the safety of their family. My family was lucky, the next family may not be."
31	Wilson, Valerie	11/15/1991	BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form, "smoke damage. Insurance company wants reimbursement for damage to house." Form also states, "Fire dept. arrived. Filled mobile home with smoke. Fireman said det. should have been alarming." Report of Lone Oak Fire Department dated November 18, 1991 regarding the smoke detector indicates that department arrived and found a mobile home filled with smoke. "The smoke detector which was close to the smoke source, did NOT function. When tested with the test button it sounded very loud. Battery appeared to be okay." Kentucky Basic Fire Incident Report of the Lone Oak Fire Department indicates that "smoke was in entire structure." Under detector performance there's a notation "did not work."
32	Burdsall, Tom	11/20/1991	Letter to Tom Burdsall (apartment manager) from a fire inspector of the Boynton Beach Fire Department. The Fire Department responded to the call from the Yorktown Apartments where "a tenant had left a pan on the stove and it started a small fire of the pan contents."

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			The fire inspector states "My biggest concern was the smoke detector did not work. I found the battery in the detector, but it did not go off." Letter from Tom Burdsall to BRK referencing the detector involved in above described incident, stating, "the battery in the detector was fine and I am sure it would have lasted another 6 months. I am enclosing the malfunctioning detector for your examination. What went wrong ??????????????????????????????"
33	MacArages, Mrs. George	12/18/1991	Customer response to BRK questionnaire regarding whether smoke reached the detector, customer states, "Yes! You could not see the detector because the smoke was so thick."
34	Callender, Penny	12/20/1991	Customer response to BRK questionnaire regarding whether smoke reached the detector, customer states "Yes - the entire house filled with smoke and no alarm sounded." BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form, One of the detectors "went off six hours after the house was filled with smoke."
35	Janner, William	01/09/1992	Customer letter states, "We recently had a chimney fire. Total damages to the house $3500. We moved in Oct. 1st 1991 and bought and installed two First Alert Model #83R, one in basement stairway, one in upstairs hall, top of stairway. Neither alarm ever went off, even though we had damage throughout the house."
36	Voth, Kristi	01/16/1992	Customer responses to BRK questionnaire states, "I was in another room with door closed, smelled something burning, went to investigate and was confronted by heavy white smoke."
37	Tapp, Mrs. Donald	02/04/1992	Telephone message slip indicates customer called BRK and states, "(2) smokes did not respond in near fire. (1) 83R (1) SA150LT"
38	Derita, Carl F.	02/05/1992	Customer letter states, "We had a small fire and this alarm didn't go off. We have checked the battery and even put a new one in it and couldn't get it to work."
39	Briggs, Ruth Y.	02/12/1992	Customer letter states, "I also want to tell you that after the old detector was removed, heavy cigarette smoke was blown directly upon it from just a few inches away, and the alarm did sound.

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			However, as I told you by phone, it failed to alarm me when the house was full of smoke which required a strong fan to suck it from the house. Also, as I said, it was not responding to skillet smoke as it did, say six months ago. In fact, it was almost a nuisance in the beginning! (Not really, because I knew it was working!)"
40	Clune, Kevin F.	02/18/1992	Customer letter states, "Enclosed are two smoke detectors which recently failed to go off during a very thick smoke created by a kitchen mishap in our home. Luckily it was not a life threatening episode but we were quite concerned that neither of our smoke alarms worked. We checked and they both had new batteries. Because they are under warranty, please replace these with ones that work."
41	Shaw, James	02/19/1992	BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that damages were, "$12,000 -- smoke and water mostly." "At one point there was so much smoke they couldn't see."
42	Thomas, Jennie	02/24/1992	Customer response to BRK questionnaire regarding how the incident was discovered, "It was quite obvious...We were all in the kitchen and the room was totally full of smoke."
43	Akerlind, Bonnie	02/27/1992	Customer response to BRK questionnaire states the incident was caused by an electrical problem with the washing machine, "Washer had to be replaced." Incident was discovered when customer went to see if top of washer was down and saw that the "room was filled with smoke."
44	DeCesare, Carmela	03/16/1992	Customer letter states, "To whom it may concern – I just had a very bad experience. I fell asleep with pot on stove. When I awoke the house was full of smoke. With doors open it still smell (sic) terrible. No doubt this paper does too. I have the First Alert Detector and it hasn't gone off to warn me. I even have it in the kitchen. I tested to see if the battery is good. When I press the button it goes off fine so there is something wrong with the detector not the battery. I am now wondering if the one I have upstairs is of any use.

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			I would like to hear from you. What should I do wih this etc.? Have you had other complaints of the detectors not performing correctly." Customer responses to BRK questionnaire indicates she did not suffer any injury because "because I awoke coughing from the smoke."
45	Wagner, Tom	03/25/1992	Customer letter states that smoke detector "failed to work. Our house became filled with smoke and it didn't alert anyone. Our only damage was smoked walls and drapes, which are being cleaned already (sic). "We could have lost everything if someone hadn't been home."
46	Bloink, Mrs. August	03/31/1992	Customer responds to BRK questionnaire as to whether the smoke reached the detector, "Yes, the whole basement was fill (sic) with smoke and the customer couldn't see the detector for (sic) the smoke." In response to whether the battery was properly connected, "Yes, most definitely. "If you need more information, send an agent to the house."
47	Russel, Marilyn	04/20/1992	Customer response to BRK questionnaire states, "our home was so full of smoke that we debated whether to sleep there that night. We were able to see smoke as we were driving up to the home – and the smoke was in every room. I thought maybe the alarm had gone off and then shut down before we got home so I took the unit off the wall and put it right in the smokiest room – into the smoke. It still did not go off even though 60 seconds earlier it tested working with both a flashlight and test button."
48	Callaghan, John M.	04/22/1992	Customer letter states that he tests his detectors every month "by using the test button. Everything checks out to be in working order. One day last week while starting a fire in my fireplace a backdraft caused a lot of smoke in the room and the alarm did not go off. My neighbor is a fireman and he tested it with smoke from his pipe, it still would not work, but the test button did. Batteries are brand-new. I feel your instructions should read to use both the test button and some smoke. My neighbor feels the same way. This could save a life."

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49	Saltness, Carde	05/07/1992	Customer letter states, "I have two First Alert – Smoke Alarm. Model 83R. One day I burned a fry pan of meat really bad and the house was full of smoke. Neither alarms went off.!"
50	Singhal, Mr. Manish	06/03/1992	Customer responses to BRK questionnaire indicates smoke was generated by, "Grease fire during cooking. Wife was away for a few minutes to receive telephone." Damages were "worth $20,000."
51	Urey, James B.	06/08/1992	Customer letter states, "The first alert smoke detector accompanying this letter failed the ultimate test. Recently my wife and I decided to pick up a sandwich at a nearby submarine shop. Fortunately we decided to bring the subs home to eat. When we entered the front door we encountered a houseful (sic) of smoke. It seems that my wife, thinking that she was turning a burner off on the stove, inadvertently turned on a second burner, which was covered with a wooden cutting board. Fortunately the board had not yet burst into flames, but had succeeded in filling the house with heavy smoke. My first observation was that the smoke alarm was totally silent." "I changed batteries in the smoke detector. With a new battery in the detector and the room still full of smoke – still not a peep from First Alert." "The detector, even now, sounds off when one depresses the test button."
52	LeCain, Judith	07/10/1992	BRK representative noted in RETURN PRODUCT SPECIAL HANDLING form that, "Self cleaning generated smoke throughout house. Flames confined to oven."
53	Poole, Frank	07/14/1992	Customer letter states, "Please check this smoke alarm. Our oil circulator caused the house to be filled with dense smoke and the alarm did <u>not</u> operate. The alarm is exact (sic) as removed from the wall. For your information if there had not been a curtin (sic) between the bedroom and the other part of the house, there may have been a fatality."
54	Twiss, Bill	08/27/1992	BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form, "I tried to explain cold smoke theory, but he said he's a fireman and there was enough smoke to trigger an alarm; if smoke had been toxic his family would have been dead."

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55	Valentin, Melissa	09/16/1992	Customer response to BRK questionnaire states, "I was in next room and saw smoke pouring out of kitchen. Entire house filled with smoke and not one smoke detector went off."
56	Carey, Janet	09/24/1992	Customer responds to BRK questionnaire stating, "The firemen tested both detectors after putting the fire out, and they both tested to be in working condition." The Northfield Center Fire Department responded. Their record indicates the smoke detectors did not work. It lists estimated loss as $200.
57	Stapleton, Jim	11/02/1992	Customer response to BRK questionnaire states that incident was discovered when, "we were out of house in yard when we came in house was filled with white smoke."
58	Gibson, Pauline	11/09/1992	Customer notes state she was in the bathroom with the door closed when she "heard my son (who was home from school and in bed sick) call out, and when I came out of the bathroom I found the house thick with smoke – so much so I could not readily find my way down the hall and could not see the windows clearly. Only the lower foot or so was free of smoke probably." "None of our three smoke detectors had started their alarms although one was two feet from my son's head on his bunk bed, and he had covered his head with the covers to escape the smoke."
59	Rodger, Debbie	11/20/1992	Customer letter states customer was "very devistated (sic) about two weeks ago and we had a fire and none of the three smoke detectors ever went off. I know what you are probably thinking, did you check the batteries? The answer is yes, as a matter of fact, the batteries weren't even a week old." After the fire was put out "one neighbor asked us if we had smoke detectors. I said yes and proceeded to show them to everyone. I pushed the tester button and it finally decided to sound. My husband then took it down off the kitchen wall and put it through the hole in the hallway above the ceiling where it was filled with smoke so thick you couldn't even see and it still didn't go off." Her husband "then went and took one off the wall upstairs, brought it down. He tested it and it sounded. Then he went up through the hole in the hallway and nothing." "All these years I felt secure knowing we had smoke detectors in case of a fire. If we had gone to bed that night we probably would

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			have been overcome with smoke inhalation and possibly could have been killed!"
60	Powlus, Mark Swiss Aire Apts.	12/07/1992	Customer response to BRK questionnaire as to whether smoke reached the detector customer states, "Yes, Entire apartment was filled with smoke."
61	Watters, Williams	12/08/1992	Wellington fire department incident report indicates estimated loss as $2,500. Customer response to BRK questionnaire states, "This detector was App 4' from the dryer and had not alarmed until the fireman, with an oxygen mask, opened the door to dry (sic). At that time detector went off." Customer states incident was discovered, "Just by chance I woke up to go to the bathroom to a house full of smoke. Very Heavy white smoke."
62	Snyder, James	12/22/1992	Customer response to BRK questionnaire indicates incident was discovered when customer "got up and the house was filled with smoke."
63	Williams, Lloyd	01/11/1993	Customer letter states that on "Thanksgiving Day my mother used a new gas oven for the first time and later realized the oven temperatures were not adjusted properly. While no one was in the kitchen the oven overheated and the kitchen was filled with dense acrid smoke. Neither detector went off. (One was in the kitchen and one was in the adjacent dining area.)"
64	Murphy, Cecilia	01/13/1993	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that smoke was caused by leaving damper closed – smoke real thick." "Took the 2 detectors down and held in the smoke."
65	Taylor, Robert G.	01/26/1993	Customer letter states, "I have a smoke detector (Model 83R) of your manufacture which was found defective. I kept it in my mother's bedroom because she smokes and I've been afraid of her causing a fire. I installed it and I've routinely tested the unit as per instructions with the unit to verify that it worked. However, several nights ago a smoldering fire did start in her waste basket. The smoke was thick in her room yet your smoke detector FAILED to sound alarm.

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			Fortunately, for us, we were still awake and discovered the problem several minutes after it occurred. Gratefully, mother was apparently only temporarily affected." "Your unit certainly gave us a FALSE sense of security." Customer responses to BRK questionnaire indicates the detector tested good after the incident when the test button was pushed.
66	Clark, Mike	02/02/1993	Customer notes state, "All the doors and windows of the house were shut until I discovered the smoke. By that time all the contents of the pan were completely incinerated and the pan was starting to melt. The smoke was so dense in the kitchen or dining area that I could hardly breathe or see. The smoke was also extremely noxious." BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that "Customer was frightened – has 2 year old and 7 week old twins."
67	Columbia, Paul W.	02/09/1993	Customer letter states his, "detectors were approximately three months old last Saturday when our dryer caught fire and the house filled with smoke. Neither detector made an alarm and the damage was thereby increased. We have a $500 deductible policy with State Farm and as the damage will not reach that amount, our agent suggested contacting you." Customer responds with another letter after receiving BRK's form letter providing analysis of detector: Customer states, "You have reached a number of erroneous conclusions namely: (1) the smoke did reach the detectors and the alarms did not sound. (2) Your statement, "had this been a serious fire etc." The house was filled with smoke but fortunately we were awake or we wouldn't be corresponding now." "In any event we had smoke-related damage for which I hold BRK responsible. If necessary I will take you to small claims court in Morris County, but hopefully we will resolve this matter without wasting further time."
68	Lynch, Mary Kay	02/24/1993	Customer response to BRK questionnaire states, "It was a cooking accident. Grease go to (sic) hot and burst into flames. When detector didn't go off we brought it out into the kitchen and it still did not respond."

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69	Sutter, Mark	02/26/1993	Customer letter states "We bought this smoke alarm about two years ago when we bought our house. After 2 smoky house disasters with the toaster, we decided that the smoke detector is defective. Yes, it did have a new battery in it."
70	Paoletti, Joan	03/12/1993	Customer response to BRK questionnaire states smoke had to have reached the detector, "There was smoke and soot on walls."
71	Guyette, Nancy	03/15/1993	Customer letter states that, "I woke at 11:00 to find the basement filled with smoke and drifting upstairs." "If I hadn't woke up I don't want to think what would have happened. What good are these First Alert if smoke surrounds them and they don't go off."
72	Isaac, Kelly	03/15/1993	Customer response to BRK questionnaire indicates that smoke did reach the detector. Customer states that there was enough smoke "to darken the windows at both locations." Incident was discovered when customer "woke and smelled smoke." Battery was properly connected and "It was tested at the time by the fire chief."
73	Miller, Virginia	03/15/1993	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form states "minor smoke damage-kitchen will need to be repainted."
74	Bray, Kristi	04/07/1993	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form indicates there was smoke damage. "Smoke filled house from floor to ceiling." Location of nearest detector to the origin of smoke was ten feet. Customer response to BRK questionnaire indicates there was a fire in the oven and "the oven was destroyed and had to be replaced."
75	Sabin, Michael	05/05/1993	Customer letter states, "This past week we had a serious chimney fire that blocked the chimney and filled the house with smoke. The enclosed detector failed to function." "I would like you to investigate the malfunction and return a properly functioning detector at your earliest convenience." Customer responses to BRK questionnaire indicates that there was smoke damage and "basement has been repainted."

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76	Darlington, G.	07/01/1993	Customer letter states that they had a small fire in their kitchen and luckily they were in the garden and spotted the smoke and dealt with the fire. Their "so called family guard (sic) smoke detector failed to go off, as a result I have removed the other three as I have no confidence in them."
77	McKee, Terri	09/22/1993	Customer responses to BRK questionnaire indicate customer believes that incident was due to a cigarette butt. Incident was discovered when "our 9 year old daughter woke up coughing and happened to open her eyes and saw the flames and smoke." Customer letter states "Thank you for sending the smoke alarm. It hasn't arrived yet, but to be honest, we probably will not use it anyways. It would be very hard to trust your familys (sic) lives to that brand ever again. To think that we could have lost all of our lives is unbearable. Our five-year-old son is still having trouble sleeping. He just doesn't understand why it didn't wake him up, like we have always assured him that it would. I thank you God that our daughter woke up in time to wake us all up and save our lives since your smoke detector didn't. If she wouldn't have, we all would have been gone. I sincerely hope that you can understand how and why we feel this way. Please put yourself in our shoes, would you trust this kind of detector to protect your family if it had failed you once. I think that is just asking for problems. You can be assured that if I ever see this kind of detector in any home, I will advised them to get another kind, and I will tell them what happened to our home. I'm very seriously thinking about warning ours through newspaper articles. You should feel very fortunate that you are not in a lawsuit. We have talked to our lawyer and he tells us we would have a case if we wanted to go for it. My family feels it is more important to make others aware of the product than to spend time in court."
78	Selinsky, Dyan	10/20/1993	Customer responses to BRK questionnaire states, "The whole house was completely filled with smoke (except basement). Only the living room alarm sounded."
79	Witczak, Mary	11/01/1993	Customer responses to BRK questionnaire states, "My husband is a

No.	Name	Date of Initial Contact by Customer	Comments
	Ann		firefighter and we are very aware of problems that can happen with no smoke detectors in the homes - I thought we were very protected with our detectors, but if this had happened during the night I wonder if we would have gotten out alive. Please let me know in writing why our detectors did not activate properly. This was an extreme inconvience (sic)-- walls, curtains, rugs, clothes in closets and drawers had to be cleaned. We also have two other First Alert detectors in the children's rooms that did not activate. Where the greatest smoke damage was."
80	Cassidy, Margaret	11/08/1993	Customer letter states, "Yesterday, we had a near fire in our house which gave off a lot of smoke. Much to my disappointment my smoke detector did not even sound. The battery check still sounded, but the alarm wouldn't, even when a smoking paper was held under it. I wouldn't like to think what could have happened if the fire had been at night."
81	Lauer, Sandy	11/18/1993	Customer responses to BRK questionnaire indicate incident was discovered when customer "smelled smoke then saw very thick smoldering grey smoke." Smoke was generated by "Smoldering paper on top of water heater." BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form states that location of nearest detector was "2 feet away."
82	Dreznick, David	11/22/1993	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form indicates smoke was due to cooking. "Living room and kitchen were filled with smoke." "Thinks maybe he should talk to attorney. Previous detector would sound with just a hint of smoke. – Calling to tell us about the problem – isn't sure what he wants....Is very upset."
83	Marcyes, Heather	12/06/1993	Customer letter states "I am writing this letter in regards to your Model 83R smoke detector. Last night I woke up to the smell of smoke. When I turned the light on, the whole house was filled with smoke, but no alarm was going off. I check my detectors once a month and change the batteries often. All of the batteries where (sic) good and the detectors did go off when I pushed the test button but did not go off when my house was filled with smoke. Thank goodness my furnace just malfunctioned and there was no damage to my house.

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			I hope you will understand how very upset I am that my two smoke detectors from your company did not work."
84	Moore, Howard	12/22/1993	Customer responses to BRK questionnaire as to whether the smoke reached the detector, customer states, "absolutely" - the entire house was filled with smoke." The incident was discovered when "My wife awoke to all the smoke. "
85	Howell, William	01/04/1994	Customer letter states, "At 11:30 PM, Wednesday, December 17, I put a large ham on to roast over night. At 1:30 AM I awoke to a House full of smoke. The upstairs where we were sleeping had solid smoke to the level of the mattress and we awoke coughing." "Our house is equipped with two of your Family Guard (sic), model No. 83R, one upstairs and the other down. We have no experience with the upstairs Family Gard, but the downstairs one goes off with burning toast or pizza. This time neither one sounded and we were all but overcome. After the ordeal I checked the batteries using the button on the alarm, both checked OK. A response to our near disaster would be appreciated."
86	Church, Jackie	01/10/1994	Customer responses to BRK questionnaire indicate incident was discovered when "I stood on the main level after playing on the floor with my ten mo. old and the main floor was smoke from head level to ceiling and all of the top floor.
87	Healey, Paul K.	01/17/1994	Letter from customer dated August 21, 1995 stating, "I am writing to inform you of the property losses I sustained on the morning of January 17, 1994. My wife was pregnant at the time and four of my other children were also in the house. My mother who was staying with us at the time, suffered smoke inhalation and was hospitalized. The First Alert detectors that I had in my home failed to sound and we had a fire and smoke loss, the damages totaling approximately $25,000-$30,000." Customer responses to BRK questionnaire state, "I am positive the battery was working properly because I tested it the day before the fire. The weather was particularly cold that week and we were using the fireplace steadily. I wanted to be sure that we would be alright if we went to bed with live ashes still in the fireplace." "My wife has a very sensitive sense of smell and woke up to the

No.	Name	Date of Initial Contact by Customer	Comments
			smell of smoke. The fire department came down and had to use smoke ejectors to get the smoke out of the house." Customer letter to BRK, dated April 16, 1996, in response to BRK's form letter regarding the analysis of customer's detectors states, "I'm going to tell my story to the judge and see if he agrees with me. As I said, I am looking for my deductible and nothing else." "I have a big family and almost lost them, no thanks to the product you represent as the '1st Alert' in a smoky fire."
88	Flagel, Ron	01/19/1994	Customer responses to BRK questionnaire indicate the incident was discovered when, "The entire house was filled with intense smoke, it woke us up." "Prior to venting the home, with visibility very low due to smoke, the units still tested okay."
89	Payne, Eldon and Betty	01/26/1994	Customer letter states "Recently our furnace malfunctioned during the night and when we awoke the house was completely full of smoke and soot. Our faces were black, as was everything in the house, and of course, the basement was even worse. The plants down there were killed and had we left our cats down there they also would be gone." Customer had put a new First Alert Smoke and Fire Detector in April the year before and checked the batteries in late fall, "but when we needed it for protection, it didn't go off or warn us. How many people must go to bed at night thinking they are safe because of having a detector installed, only to have their house burn down around them and in all probability, being killed themselves! We feel that you owe us some kind of an explanation for selling this defective equipment and endangering lives." Customer responses to BRK questionnaire indicates that the cost of damages involving smoke was "$4,648.07. For Service Master cleaning and painting." Our insurance company paid all but $250.00 for the smoke damage."
90	Lehocky, Mary	02/15/1994	Customer responses to BRK questionnaire state, "My youngest son who is four knocked a night reading lamp onto my other son's bed and left the room. It was on about 1 ½ hours before it was detected and it burned through the bed."

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			Customer states that battery was properly connected, "because I tested it after the incident and it went off, so I took it off the wall and stuck it right on the burnt bed with room full of smoke and it didn't go off."
91	Strzyzewski, Kathleen	02/22/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form indicates Smoke was generated by kettle left burning. "Stove top damage and kettle." Customer brought two other detectors "into the kitchen during the incident -didn't alarm. Afterward tested with smoke from match didn't work. It did work with test switch."
92	Cannon, Sheila	02/28/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that customer had "smoke (smell) damages" from a log in fireplace that "never ignited – just smoked." Customer responses to questionnaire indicates this incident was discovered when customer "woke up having trouble breathing."
93	Brown, Steve and Deborah	03/04/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that "cust. woke up with sore throat" "Insured left something cooking on stove." Letter from Tony L. Wright (Claims Specialist with State Farm, Lloyds) to BRK, dated February 4, 1994. Letter states, "This is to inform you that State Farm Insurance has an interest in restitution in the above amount." "Amount of Loss: $13,685.87" "We believe that our insured's damages are much more extensive then they should have been because the smoke alarms failed to function properly."
94	Johnson, Judy	03/09/1994	Customer responses to BRK questionnaire indicate smoke was generated by "toaster malfunctioned (toast didn't pop up)." "The upper level of my home was engulfed in smoke from the kitchen, down the hall and just starting to reach the bedroom doors." After turning on a fan "only then did the smoke detector finally go off, and then it was two brief beeps and the house was still full of smoke." "I put my trust in your product and I was mortified when it never

No.	Name	Date of Initial Contact by Customer	Comments
			warned me of my problem."
95	Stoyk, Mrs. Raymond	03/09/1994	Customer letter indicates that customer had fallen asleep while watching TV. "I had awaken around 10:15 p.m. with a severe headache, that's when I noticed that my home was extremely filled with smoke. In my home I have two 1st Alert smoke detectors. One detector is located in the kitchen and the other is located upstairs. Never once did either of the smoke detectors go off. Our phone line was dead so my husband went to call the fire department. When the fire department arrived, it took them an hour to find where the smoke was coming from. The whole time they were here the smoke detectors still never went off. One of the firemen checked our smoke detectors and said, yes, they work if you push the button to set if off but not with a fire; why is that! I am extremely upset. My husband and myself put are trust in 1st Alert and look what it got us. I am extremely disappointed with your product. We thought we would be safe with First Alert. If the chimney fire would have happened while my husband and I were asleep for the night, we strongly believe that we both would be dead or hospitalized for smoke inhalation or burns. Would you tell me what good are your 1st Alert smoke detectors?" Customer states "we didn't purchase them for decoration on the wall. I cannot even begin to tell you how upset I am. There has been so much damage done to our home which a lot of it I feel could have been prevented if your detectors would have went off like they were supposed to." "I highly advise you look into your First Alert smoke detectors for a defect before someone is seriously injured."
96	Schaefer, Christa	03/22/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that incident was generated by "chimney flu backed up." Injuries noted, "6 mo old baby – smoke inhalation – not too serious." Damages were noted as "soot damage."
97	Hambley, John	03/28/1994	Customer response to BRK questionnaire indicates incident was discovered when customer "awoke to odor and visual smoke in bedroom. Dense smoke in basement and first floor."
98	Boyce, Shirley	04/08/1994	Customer letter stating, "Please find enclosed a non-functional smoke detector. My husband did not latch the door to our woodstove tightly and it came open just before Christmas. We were all asleep

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			until my daughter smelled something and aroused us. At that point you could not see your hand in front of your face. The smoke alarm failed us, the battery was new and it just did not go off. I don't have to tell you we almost died."
99	Estilette, John	04/21/1994	Letter from customer attorney states, "We have been contacted by Mr. Estilette concerning a single station smoke detector, model number 83R, which he installed in his home in Lafayette, Louisiana. On March 8, 1994, the room in which this detector was installed was destroyed by fire. One of the Lafayette Fire Department personnel, after extinguishing the fire, entered the room and tested the smoke detector. When he pushed the test button, it immediately sounded an alarm. Unfortunately, it had not done so to alert the occupants of the home of the fire." BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form relating to damages, "1 room to be rebuilt, carpet replaced. Est.: $8000.00"
100	Ross, John	04/27/1994	BRK Representative noted on RETURN PRODUCT SPECIAL HANDLING form that customer complaint regarding detector is "N/R/S" (no response to smoke) BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that damage is "limited to section of kitchen – not extensive. Homeowner's insurance covering."
101	Justeen, Terriu	05/02/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that smoke was generated by "clothes dryer – motor" "Basement filled with smoke."
102	Landry, Frank	05/04/1994	Customer responded to BRK questionnaire stating that smoke was generated by air conditioner. Smoke was discovered because customer was "choking." BRK representative noted on RETURN PRODUCT SPECIAL HANDLING that complaint was due to no response to smoke.
103	Linneroth, Penny	05/05/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that incident was caused by "rags with chemicals – spontaneous combustion." "Major smoke damaged – replace carpet and pads."

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			Customer "called to make sure she was still safe. Daughter was awakened by the fumes. Ctr wants to know why detector didn't alarm. When daughter opened the door – she could hardly see." "daughter caught bronchitis due to the incident."
104	Steiner, Darlene	05/11/1994	Customer responds to BRK questionnaire indicates smoke was generated by "grease fire on stove" Damage included "pan badly burned, ashes on hood over stove and grease marks on furniture." "Husband took in large amounts of smoke, got sick, had bad headache for two days." Incident was discovered because "Smoke was pouring out windows and doors." BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that "there was soot on everything in the kitchen." Detector "worked okay after" the incident.
105	Colonial Village Apartments/ Bob MacVicar	05/19/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that "insurance adjuster coming out today – major smoke" "smoke billowed into two apartments – fire originated in another apartment." "Firemen had to use air packs to enter one of the apts – det. Weren't sounding."
106	Williams, Shawn	06/02/1994	Customer letter states, "I recently had a fire in my apartment and none of the detectors went off. I tested them even as the smoke was soaring through the house and they tested out as if they were working." Customer said he had to have a "complete paint job."
107	Weeks, Bud	06/08/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form indicates, "electrical fire – bedroom small heater – electrical cord ignited carpet. "3 pets killed"

No.	Name	Date of Initial Contact by Customer	Comments
			Damages "=$20,000"
108	Craddock, Mark	07/07/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form indicates cause of incident was "foam pillow pushed up against light bulb." "Children ages 7 and 6 have sore throats." Customer response to BRK questionnaire states incident was discovered when, "Wife woke up from smoke or smell of smoke.
109	Mills, Mrs. Mitch	07/27/1994	Customer response to BRK questionnaire states incident was caused by "a potholder stuck to the bottom of a cookie sheet in use in the oven." There was "extensive smoke in a kitchen which spread throughout the house."
110	Rentz, Robert	07/27/1994	Customer letter states, "I have concerns about your battery-powered ionization smoke detector. A tenant of ours had a dish towel catch fire on the gas stove burner. It was extinguished before anything else was involved, but the ceiling of all the rooms was covered with smoke. The alarm did not sound. Rereading the user's manual, I cannot find the answer. There is a doorway between the kitchen and the detector, but no door to close. The battery was only weeks old and the alarm was double tested when the new battery was installed. The unit itself is only about a year old. It is wall mounted in accordance with the directions."
111	Thomson, Steve	08/31/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form indicating "dryer burned up, smoke damage through – Insurance adjuster coming out. Customer letter to BRK states "We were totally appalled at the fact that neither of our detectors functioned at the beginning, middle or end of the fire!! The fire fighters tested the detectors when the house was literally filled with smoke, (which can be confirmed by the enclosed fire report) and the beeper responded when the button was pushed, but the smoke definitely had no impact on the detectors. To think we trusted our lives to these units just makes me ill." Thank God my husband has a pretty good ability to smell and

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			fortunately is a light sleeper. My husband travels frequently, I am grateful that this did not happen while he was away since I am sure that I would have l slept through the fire along with my three children, dog and cat. "Had these protectors functioned as we assumed they should, I do believe the fire could have been stopped before it caused this damage. My husband cannot sleep at night for fear that this should happen again."
112	Bowley, John	09/12/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that issue with detector was no response to smoke (N/R/S) due to cooking. Damages were listed as "$5,000.00"
113	Randle, Barbara	09/22/1994	Customer letter states that "food that was cooking on the stove started to burn over in the night and the 3 FRONT ROOMS WERE FILLED WITH SMOKE THE SMOKE THAT IS SO THICK THAT IT LOOKS LIKE CLOUDS AND MY SMOKE ALARM DID NOT MAKE A SINGLE SOUND. Now this smoke alarm which is the first alert was less than six feet away." "Now how on earth do you suppose the house was almost overcome with smoke and the alarm did not make a sound? I checked the batteries and we did the test to test the alarm after I returned home and it pass the test and the batteries were tested and or it was in perfect condition but it did not make a sound." Customer states that if the Good Lord had not awakened her daughter "and got her up to see what the smoke was, they both my two girls and husband would have died of smoke inhalation." "I know you will want to put some testing in your smoke alarms after this near tragedy."
114	Munroe, Eileen	09/26/1994	BRK Representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form indicates that incident was caused by flames inside microwave. Location of nearest detector was "12-15 feet away." "Detector sounded when fire department arrived and introduced fresh air into home." RETURN PRODUCT SPECIAL HANDLING form states, "Didn't

No.	Name	Date of Initial Contact by Customer	Comments
			alarm soon enough for customer."
115	Burns, Lee	11/03/1994	BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form indicates incident was caused by stove pipe coming away from chimney in family room. Test button works and worked while smoke was in the house.
116	Wajakowski, Sue	11/03/1994	Customer letter dated September 29, 1994, states that "All of my trust for Family Gard were destroyed on October 11, 1994. I had smoke in my apartment and my detector never went off. The fire department checked the detector. They sprayed an agent that acts like smoke in front of the detector. It never went off. They also checked the battery and it was fine. So what is going on with Family Gard products? That is my question I would like you to answer for me. Thank God I was not in this apartment when all of this happened, if I was I would have been dead or suing you right now." Customer response to BRK questionnaire states "Berwyn Fire Department al ready tested this detector and said it wasn't working. I will be very surprised if it starts working with your tests." Customer letter dated January 11, 1995 states, "I'm a little confused on your "customer services." When I called a couple weeks ago I not only got hung up on, but my questions were not clearly answered. Customer asks, "What is exactly wrong with the unit I sent your company to check out?" Customer states that she would like to receive a response regarding this matter. "It ticks me off to know that BRK can get away with this."
117	Brown, David	11/11/1994	Customer letter states, "This model is defective. I had a grease fire on the stove and your alarm never went off!!
118	Ryan, Tim	11/15/1994	BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form indicates incident was caused by "grease." "something overflowed" "2-3 rooms full of smoke." Detector "tests fine" with test button, but smoke from match doesn't set off alarm.
119	Tedesco, Ron	11/22/1994	Customer response to questionnaire indicates "We were downstairs

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			when the food started to burn. The smoke was obvious when we came upstairs. Customer states smoke did reach detector, "As my wife was removing the pan, she passed directly under the detector."
120	Young, Kari	11/22/1994	BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form that incident was caused by "backdraft through chimney" Damages are listed as "Smoke - $1,800.00" Detector "alarmed ½ hour after fire dept. arrived."
121	Wagner, Mrs. Thomas	11/28/1994	Customer responses to BRK questionnaire indicate smoke was generated from, "difficulty with fireplace dampers." Customer states that smoke "absolutely" reached the detectors. "We knew we were in a smoke situation and our Black & Decker was already sounding before our house was full of smoke."
122	Bailey, Mary	12/02/1994	BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form indicates incident was caused by "cooking." "After incident – no response to test button. (While on phone with me – Det. Did respond)" "Cust. called back and said that the unit was no longer testing."
123	Meyer, Ronald	12/02/1994	Customer responds to BRK questionnaire indicating smoke was generated by "A power surge resulting in smoldering wires." Incident was discovered when, "Smoke filled the basement." Detector responded when "Fire Dept. tested it."
124	Matnay, Kevin	12/14/1994	BRK representative noted on SPECIAL HANDLING PHONE-IN COMPLAINT form indicates smoke caused by "backdraft – fireplace" "put detector next to fireplace and still no alarm. Old alarm used to alarm frequently."
125	Kuehnk, Henry	12/16/1994	Customer response to BRK questionnaire indicates that "bathroom ceiling heater" generated smoke.